

**MARLIN & SALTZMAN, LLP**

Stanley D. Saltzman, Esq. (SBN 90058)

Christina A. Humphrey, Esq. (SBN 226326)

Tina Mehr, Esq. (SBN 226326)

29229 Canwood Street, Suite 208

Agoura Hills, California 91301

Telephone: (818) 991-8080

Facsimile: (818) 991-8081

ssaltzman@marlinsaltzman.com

chumphrey@marlinsaltzman.com

tmehr@marlinsaltzman.com

Attorneys for Plaintiffs

*(Additional attorneys on next page)*

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA**

JUSTIN HOLMBY and RUBEN SILVA on  
behalf of themselves and all others similarly  
situated,

Plaintiffs,

v.

CARDINAL LOGISTICS MANAGEMENT  
CORPORATION,

Defendant.

**CASE NO. 15-cv-03382-RS**

**CLASS ACTION**

**JOINT NOTICE OF TENTATIVE  
SETTLEMENT AND JOINT REQUEST  
TO VACATE EXISTING DATES ;  
~~[PROPOSED]~~ ORDER**

**Additional Attorneys for Plaintiffs:**

**TOWER LEGAL GROUP, PC**

James A. Clark, Esq. (SBN 278372)  
1510 J Street, Suite 125  
Sacramento, California 95814  
Telephone: (916) 361-6009  
Facsimile: (916) 361-6019  
james.clark@towerlegalgroup.com

**THE TURLEY LAW FIRM, APLC**

William Turley, Esq. (SBN 122408)  
bturley@turleylawfirm.com  
David Mara, Esq. (SBN 230498)  
dmara@turleylawfirm.com  
7428 Trade Street  
San Diego, California 92121  
Telephone: (619) 234-2833  
Facsimile: (619) 234-4048

**Attorneys for Defendants:**

**THEODORA ORINGHER PC**

Drew R. Hansen, Esq. (SBN 218382)  
dhansen@tocounsel.com  
Walter Pena, Esq. (SBN 247469)  
wpena@tocounsel.com  
Kenneth E. Johnson, Esq. (SBN 115814)  
kjohnson@tocounsel.com  
535 Anton Boulevard, Ninth Floor  
Costa Mesa, California 92626-7109  
Telephone: (714) 549-6200  
Facsimile: (714) 546-6201

**TO THE HONORABLE COURT AND CLERK OF THE COURT:**

Plaintiffs, JUSTIN HOLMBY and RUBEN SILVA (hereinafter “Plaintiffs”), on behalf of themselves and all others similarly situated, and Defendant CARDINAL LOGISTICS MANAGEMENT CORPORATION (“Defendant”), by and through their respective attorneys of record, hereby recite and stipulate as follows:

**RECITALS**

**WHEREAS**, the Parties participated in a mediation for two days on February 26, 2016 with mediator Michael Dickstein;

**WHEREAS**, following protracted negotiations the parties have reached a tentative settlement of the within action;

**WHEREAS**, at the conclusion of the mediation a Memorandum of Understanding (“MOU”), memorializing and reflecting the terms of the agreement was agreed.

**WHEREAS**, defendant, its attorneys of record and counsel on behalf of plaintiffs have fully executed a binding settlement as a Memorandum of Understanding on February 29, 2016 (“MOU”) as described.

**WHEREAS**, the Parties acknowledge and agree and commit to work in a good faith effort to reach a final settlement agreement regarding any additional terms within thirty (30) days after execution of the MOU.

**WHEREAS**, plaintiffs intend to file a motion for preliminary approval of the class action settlement on or before April 29, 2016.

**WHEREAS**, judicial economy would be served by vacating the existing dates, including a CMC currently scheduled for April 7, 2016, at 10 a.m., with the Court setting future dates as it feels are necessary.

**STIPULATION AND REQUEST**

**NOW THEREFORE**, the parties hereby stipulate and respectfully propose as follows:

1. That the Court vacate the Case Management Conference set for April 7, 2016, with the Court setting future dates as it feels are necessary.

2. That the Parties be accorded until April 29, 2016 to file the Motion for Preliminary Approval of Class Action Settlement.

**SO REQUESTED AND STIPULATED:**

DATED: March 18, 2016

**MARLIN & SALTZMAN, LLP  
TOWER LEGAL GROUP, PC**

By: /s/ Christina A. Humphrey  
Christina A. Humphrey, Esq.  
James A. Clark, Esq.  
Attorneys for Plaintiffs

DATED: March 18, 2016

**THE TURLEY LAW FIRM, A PLC**

By: /s/ Dave Mara  
William Turley, Esq.  
David Mara, Esq.  
Attorneys for Plaintiffs

DATED: March 18, 2016

**CROWELL & MORING LLP**

By: /s/ Thomas P. Gies  
Thomas P. Gies, Esq.  
Attorney for Defendants

DATED: March 18, 2016

**THEODORA ORINGHER PC**

By: /s/ Drew R. Hansen  
Drew R. Hansen, Esq.  
Attorney for Defendants

**SIGNATURE ATTESTATION**

In accordance with Civil Local Rule 5-1(i)(3), I attest that concurrence in the filing of this document has been obtained from the signatories on this e-filed document.

DATED: March 18, 2016

By: /s/ Christina A. Humphrey  
Christina A. Humphrey, Esq.

**~~PROPOSED~~ ORDER**

PURSUANT TO THE STIPULATION OF THE PARTIES, and finding good cause therein,  
IT IS ORDERED that:

1. The Case Management Conference set for April 7, 2016 is now vacated along with any deadlines associated with said date. The Court will set any future dates as is deemed necessary.
2. The deadline for Plaintiff to file the Motion for Preliminary Approval of Class Action Settlement is set for April 29, 2016, based on the agreed to terms of the Memorandum of Understanding executed by the parties.

DATED: 3/21/16



~~HON. YVONNE GONZALEZ ROGERS~~ RICHARD SEEBORG  
UNITED STATES COURT JUDGE